

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

PAUL JONES,

Plaintiff,

v.

WARDEN WILLIAMS, et al.,

Defendants.

Case No.: 2:23-cv-01083-ART-DJA

**ORDER**

(ECF No. 3)

On July 13, 2023, pro se plaintiff Paul Jones, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983 and applied to proceed *in forma pauperis*. (ECF Nos. 3, 3-1). The application to proceed *in forma pauperis* is incomplete because it is not on this Court's approved form and Plaintiff did not submit a financial certificate and an inmate trust fund account statement for the previous six-month period with it.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. *See* 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**. *See* 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

1 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 3) is  
2 denied without prejudice.


3 It is further ordered that Plaintiff has **until September 19, 2023** to either pay the full \$402  
4 filing fee or file a new fully complete application to proceed *in forma pauperis* with all three  
5 required documents: (1) a completed application with the inmate's two signatures on page 3, (2) a  
6 completed financial certificate that is signed both by the inmate and the prison or jail official, and  
7 (3) a copy of the inmate's trust fund account statement for the previous six-month period.

8 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
9 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to  
10 refile the case with the Court, under a new case number, when Plaintiff can file a complete  
11 application to proceed *in forma pauperis* or pay the required filing fee.

12 The Clerk of the Court is directed to send Plaintiff Paul Jones the approved form  
13 application to proceed *in forma pauperis* for an inmate and instructions for the same and retain the  
14 complaint (ECF No. 3-1) but not file it at this time.

15 DATED this 21<sup>st</sup> day of July 2023.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



---

UNITED STATES MAGISTRATE JUDGE